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THE DOCKET

GSU COLLEGE OF LAW NEWSPAPER

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March 2003

8 pages

HENRY J. MILLER LECTURER RUTH BADER GINSBURG

By David Ritter

On Thursday, February 13, 2003, the Honorable Ruth Bader Ginsburg delivered the 32nd installment in the Henry J. Miller Distinguished Lecture Series. The event took place in the Rialto Center for the Performing Arts on the campus of Georgia State University in front of a nearly full house.

Georgia State University College of Law Dean Janice C. Griffith introduced Justice Ginsburg by proudly stating that the event was the centerpiece of the College of Law's 20th Anniversary celebration. Dean Griffith emphasized how honored she was to introduce Justice Ginsburg because of Justice Ginsburg's work in promoting women's rights. Among Justice Ginsburg's achievements are graduating first in her class at Columbia University (she is probably the only person to serve on the law reviews at both Harvard University, which she attended before her husband got a job in New York, and Columbia University), becoming the first tenured female professor at Columbia School of Law, launching the Women's Rights Project for the American Civil Liberties Union, joining the United States Court of Appeals for the District of Columbia, and being nominated for and joining the United States Supreme Court in 1993.

Justice Ginsburg took the stage amidst a standing ovation. Her speech, entitled "A Few Little Known Pages of Supreme Court History," mainly concerned two women with ties to the Washington legal community - Burnita Matthews and Malvina Harlan. When Matthews first decided to pursue a legal career, that option was not a favorable one for women. She instead went to music school and then married a lawyer.

After moving to Washington, D.C., where her husband was working, she enrolled in law school at National University, which is now George Washington University.

During the day she worked at the Veteran's Administration, and during the evening she took law classes. On the weekends she picketed the White House in support of the women's suffrage movement. Matthews gradu-

ated from National and pursued a career in eminent domain law, at one point winning what was at the time the largest condemnation award in the history

of the country. Justice Ginsburg noted the property would be put to good use, as it became the location of the United States Supreme Court.

In 1949, President Harry S.

Truman nominated Matthews to the D.C. Circuit Court, where, as the first woman appointed to be a federal district court judge, she continued her advocacy of women's rights by only hiring female law clerks.

Malvina Harlan was the wife of Supreme Court Justice John Marshall Harlan, and Justice Ginsburg said, "Her ambition was her husband's success." Ginsburg's favorite story about Malvina Harlan was the time Harlan took a pur-

loined ink stand used by Chief Justice Roger Brooke Taney, who had written the infamous Dred Scott decision with that same ink stand, and placed it on her husband's desk so he would have inspiration when writing his dissent in the equally infamous *Plessy v. Ferguson* decision.

Justice Ginsburg has been very active in having Harlan's memoirs, *Some Memories of a Long Life, 1854-1911*, published. Justice Ginsburg ended her talk by pointing out that Justice Sandra Day O'Connor is celebrating her 22nd year on the Supreme Court and Justice Ginsburg is celebrating her 10th year on the Supreme Court. She said that whenever the make-up of the Supreme Court changes, a group photo is taken. She knows that Harlan and Matthews, whose footsteps Justice Ginsburg followed by being appointed to the D.C. Court of Appeals, would take pride in the fact that two of the nine Supreme Court Justices are women, a fact that would not have seemed possible during those earlier women's lives.

Dean Griffith ended the evening by thanking Justice Ginsburg and reminding the audience to follow the examples of the courageous women Justice Ginsburg introduced during that evening. Dean Griffith urged the audience to follow the words that are posted on the walls of Justice Ginsburg's office: "Justice, Justice, Shalt Thou Pursue."



Dean Griffith with Justice Ginsburg

JUSTICE GINSBURG Q & A WITH STUDENTS

"Well, I wanted to be a diva, but I couldn't be. When it comes to singing I'm a sparrow, not a robin. However, I did become the next best thing, which was a law professor and a judge."

By Kelly Kesner

On February 13, 2003, students had the unique opportunity to attend a Q&A session with Supreme Court Justice Ruth Bader Ginsburg. Addressing a full auditorium in the Urban LifeBuilding, Justice Ginsburg responded to questions the students submitted, asked by Professor Marjorie Knowles.

Justice Ginsburg opened the session by sharing a bit of her personal history. As it turns out, she didn't always want to be part of the legal system. Justice Ginsburg shared, in response to the question of what she wanted to be when she was a child, "Well, I wanted to be a diva, but I couldn't be. When it comes to singing I'm a sparrow, not a robin. However, I did become the next best thing, which was a law professor and a judge."

Justice Ginsburg graduated top in her class at Cornell University, later becoming a professor at Columbia Law School. She was first appointed to the Circuit Court of Appeals in Washington, D.C. before becoming appointed to the

United States Supreme Court in 1993, joining what is now the longest sitting bench of 9 justices since 1837.

Justice Ginsburg continued by discussing why dissents are so important in our legal system, and then shared a fun, personal anecdote demonstrating their importance. She stated, "The role of a dissent is you hope to be speaking to a future age of justice. Justices Holmes and Brandeis wrote several dissents that later became the majority court opinion. When one writes a dissent you hope it one day will become the law. In fact, even when you're writing the majority opinion, nothing is better than a good dissent to sharpen the opinion of the court." Justice Ginsburg highlighted this fact with a personal tale. She stated, "Justice Scalia ruined a weekend I was going to have at Lake George, because just before I was going to leave, Scalia came into my chambers to discuss a case we were deciding. He said, 'You're not going to like this, Ruth,' and he left his dissent with me. All weekend I worked on my opin-

ion in that case. However, I must say, my opinion was better because of his stinging dissent!"

Justice Ginsburg also addressed the relevance of *Bush v. Gore*. She opined that *Bush v. Gore* should never be cited as precedent, because it was a moment in history, a one of a kind case that should never be repeated. Furthermore, Justice Ginsburg explained that one of the magnificent things about the Supreme Court is that although there were sharp disagreements, such as there were in this case, all of the Justices remain good friends, and the Court practices several customs that promote this.

For example, every sitting day, or when the Justices have a conference, they go around the table and they all shake hands with one another. They also have lunches together, to help pro-

mote congeniality. Sometimes they invite distinguished guests to their lunches.

Past guests include National Security Advisor Condoleezza Rice, or Secretary General of the United Nations Kofi Annan. She emphasized the importance of collegiality stating, "We all have great respect for each other, and realize we

are all in this together. The institution we serves is so much more important than each of us individually."

Lastly, Justice Ginsburg told

us what she liked most about being on the Supreme Court. Besides the lifetime tenure, which she said gave her wonderful job security, she stated that she has the responsibility of answering the questions, "What is right? What does the law require? What is just?" Answering these questions, she stated, "is the best work a United States lawyer could wish for."

Pictured Above: Profs. Radford, Segall, and Knowles with Justice Ginsburg



Writing Competition Winners

Congratulations to the 2003 Docket Writing Competition Winners!

Much appreciation to BAR/BRI for sponsoring the cash prize awards (1st = \$250, 2nd = \$150, 3rd = \$100) which will be presented at the College of Law's Honors Day on April 9th at 4:45pm.

FIRST PLACE WINNER: ERIN BAIRD

DEFENDING OUR LIBERTIES IN THE WAKE OF 9/11

By Erin Baird

Ten days after the tragic attacks of September 11, 2001, blinded by a haze of fear and disillusionment, the United States Government delivered a crushing blow to the fundamental liberties of its people. In the interest of national security and the preservation of anti-terrorism investigations, the Executive issued an immigration directive mandating closure of all "special interest" deportation hearings to the press and the public. Within two months, hundreds of aliens were deported in a flurry of secret government hearings, forcing them to abandon the lives and the families they had cultivated in this land of freedom. But months later the Sixth Circuit has shone a new light on these restrictive policies in *Detroit Free Press v. Ashcroft*, holding that a broad, speculative interest in national security cannot compromise the public's First Amendment right to access deportation hearings.

It is well-established by the authority of the Constitution that "Congress shall make no law... abridging the freedom of speech, or of the press." While access to deportation hearings is not explicitly enumerated in these rights, the Supreme Court has consistently rejected any "narrow, literal conception" of the First Amendment. As stated in *Bridges*

v. California, "the First Amendment does not speak equivocally, ... It must be taken as a command of the broadest scope that explicit language, read in the context of a liberty-loving society, will allow."

Although the Supreme Court has not specifically addressed whether the penumbra of First Amendment rights guarantees public access to deportation hearings, there is a strong foundation favoring open proceedings. A tradition of public accessibility is evident from a general policy of openness since the first immigration act in 1875. Since that time no statute has mandated closing of deportation hearings, and federal regulations have explicitly required "all hearings, other than exclusion hearings, shall be open to the public."

Further, the Supreme Court has routinely held that public access to government proceedings undoubtedly improves those proceedings. Public scrutiny "enhances the quality and safeguards the integrity of the fact-finding

process, with benefits to both the defendant and to society as a whole" according to the Court in *Globe Newspaper Co.*

v. Superior. Public access ensures that the proceedings are conducted fairly and impartially, and it discourages perjury and misconduct. As stated in *Richmond Newspapers, Inc. v. Virginia*, open proceedings serve a "prophylactic purpose, providing an outlet for community concern, hostility, and emotion." Open deportation hearings would

ensure a cathartic release for American citizens who were emotionally disturbed by the events of September 11, 2001.

Despite the government's legitimate interest in national security, the public's Constitutional right to access deportation hearings cannot be restricted by the plenary power of Congress. Although the Government has traditionally had broad authority over immigration, this authority is not without limitation as the Supreme Court has repeatedly refused to grant special deference to the Government in procedural matters of immigration. While the plenary power doc-

trine applies to substantive policies relating to entry and removal of aliens, enforcement of these policies requires the Executive Branch of the Government to "respect the procedural safeguards of due process." Although Congress has given power over immigration to the Secretary of Labor, "it is the providence of the courts...to prevent abuse of this extraordinary power" under *Galvan v. Press*.

Additionally, blanket closure of "special interest" deportation hearings would not be narrowly tailored to avoid substantial impairment of Constitutional liberties. Closure should be determined on a case-by-case basis, because even a compelling interest may not justify a mandatory closure rule under *Globe*. Although terrorism is a terrible and very real threat in this country, the Court recognized in *New York Times v. United States* that "the word 'security' is a broad, vague generality whose contours should not be invoked to abrogate the fundamental law embodied in the First Amendment." While the horrific event of September 11, 2001 will forever haunt the people of this great nation, the government cannot be permitted to hide behind an unlimited cloak of national security, ignoring the very freedoms they so feverishly seek to preserve.



SECOND PLACE WINNER: HEATHER SUZANNE ROBINSON

GEORGIA'S CHILD ENDANGERMENT DILEMMA

By Heather Suzanne Robinson

In a review of 484 child deaths in one year, Georgia's fatality review board said that most of the deaths could have been prevented if proper safeguards were in place. Almost all those children would still be alive today if their caregivers had provided the kind of diligent, responsible care they deserved. Instead, Georgia has lost them.

Forty-nine out of fifty states have a specific child endangerment law. Georgia does not. For each of the past few years a bill has been presented during the Georgia legislative session that would make child endangerment a felony. So far, it has not passed into law. Given the fact that Georgia's child welfare system has come under scrutiny in recent years, it's not surprising to see a push for tougher child protection laws. What is surprising is the diversity of groups who oppose the proposal. The extreme right contends that the law would impede the rights of parents to punish their children; domestic violence groups say the law would be unfair to battered women who don't report child

abuse because they fear their partners; religious groups whose members withhold medicine say they would be persecuted for their religious beliefs; and others complain that every parent whose child drowns or is injured while playing with the neighborhood kids would be hauled into court. Whatever the reason for their opposition, the common thread that ties these groups is that their argument against a child endangerment law favors the rights of adults over the welfare of children.

In Georgia, the felony offense for child abuse is cruelty to children. In order to sustain a charge of cruelty to children the prosecutor must prove that an adult acted with malicious intent (not just neglect) to cause or inflict cruel and excessive physical or mental pain. In cases where a grossly negligent parent passes out drunk while her toddler wan-

ders into the street or where an adult leaves a child in a car on a sweltering day, often the most that person can be convicted for is reckless conduct, a misdemeanor. A child endangerment law would give prosecutors more leeway to punish adults whose criminally careless or reckless actions hurt children or put them at great risk.

The value of such a law is that it encourages adults who are caring for children to be as thoughtful and prepared as possible.

This year, HB 197 and SB 1 are making their way through the Georgia legislature and may be presented to the House and Senate for a vote before the end of the session. Each year the proposed law seems to get a little farther in its journey, but there is no clear indication yet as to whether it will pass this year or not. The current proposals

would make **intentionally negligent** conduct that puts a child in **imminent danger** of bodily or mental injury a felony in Georgia. The law would apply to cases in which a willful act or failure to act results in foreseeable harm to a child. It would not apply to accidents or situations in which death or injury was not foreseeable.

Of course, no one can know for sure what will happen if HB 197 and SB 1 do ultimately become law. Already the direct and indirect costs resulting from child abuse in this country, including court costs and incarceration for parents and foster care, therapy and medical care for children, are \$94 billion a year. That is the equivalent of \$1,460 for every American family each year. Some fear an increase in those costs if Georgia passes a child endangerment law. That is certainly a possibility. But won't it cost more in the long run to allow Georgia's children to be injured or killed because an adult did not do what he should have done to protect the child in the first place? Which cost are we more willing to bear?



Writing Competition Winners

Many thanks to all of the students who participated - we are very excited by the positive response we got and the quality of the submissions. We also really appreciate the kind involvement of Prof. Podgor, Prof. Scott, and Prof. Sobelson who judged the anonymous entries.

THIRD PLACE WINNER: EBUNI MCFALL-ROBERTS THE IMPACT OF DIVERSITY

By Ebuni McFall-Roberts

Civil Rights programs were designed to ensure that African Americans would be accorded full status as citizens of the United States. The 13th, 14th, and 15th Amendments to the Constitution made slavery illegal, guaranteed equal protections, and forbade race-based voting impediments. The term "Affirmative Action," however, is a misnomer that has become synonymous with quotas.

In President Lyndon Johnson's 1965 Executive Order 11246, it was required that federal contractors take "affirmative action" to ensure that employees could apply and be employed regardless of race, creed, color, or national origin. The word affirmative is defined as "positive...favoring or supporting a proposition" by Merriam Webster's Collegiate Dictionary 10th Ed.

And it was two years before this order was expanded to include women. Ironically, affirmative action has become relegated to race, and gender has mysteriously disappeared from the equation.

Higher Education Diversity programs were designed initially as an im-

petus to spur the enrollment of minority students in colleges and universities across the nation. The expected product of most programs was that higher numbers of women of all races, and non-

White men would apply for admission to college. In the past ten years, there has been a concerted effort to reverse the action and return America to the classrooms of yesterday. While the recent action of President Bush, weighing in on the University of Michigan's Law School Admission policy, has angered many supporters of diversity in higher education, it has saddened me. I am saddened that a President who was admitted to and attended Yale University only because of his legacy status and family wealth would have the audacity to submit a brief to the Supreme Court opposing Affirmative Action policies in Higher Education. I am saddened that in 2003,

many Americans truly believe that the "playing field" has been leveled and that African Americans should be expected to qualify for admission to colleges and universities at the same level in all areas (educationally, economically, socially, or psychologically) as their White counterparts. I am most saddened though that few Americans who oppose Affirmative Action programs have bothered to understand that these programs are needed still to increase diversity.

These programs will outlive their usefulness when African American students are given the same classrooms, with the same age computers, the same educated teachers, the same political representation, in the same home environments that other races are accustomed to.

Of course, the most common reaction to my argument is likely to be that everyone in America has the same

opportunities today. I can't say it better than Roger Wilkins who pointed out in his 1995 book 'The Nation' that African Americans have a 375-year history on this continent: 245 involving slavery, 100 involving legalized discrimination, and only 30 involving anything else. To expect African Americans to show the same upward mobility as other minorities is to deny the historical and social reality that African Americans face.

The American landscape is sloping backwards, and I see the recent trends to reverse or limit Affirmative Action programs as efforts to reduce diversity. As a law student, I fear the repercussions that I will see on this and other college campuses. Students of diverse backgrounds enrich the learning experience, and teach that the box can be opened from EITHER side. I fear that without legislation protecting diversity initiatives, the patterns of yesterday will return. America has shown itself to devalue persons that are different than the majority, and has historically legislated discrimination when that was the better suited alternative.



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Exhibit Area
4:30pm

GEORGIA STATE LAW
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20 Years of Excellence

Features

FEDERALIST SOCIETY HOSTS DEBATE ON VOUCHERS

By Franklin Lemond

Last month, the Federalist Society was honored to have Clint Bolick, Vice President of the Institute for Justice, and Chris Carr, formerly of the Georgia Public Policy Foundation and now with the Isaacson for Senate campaign, join professors Neil Kinkopf and Patrick Wiseman for a debate on school vouchers. Mr. Bolick presented his views in favor of school vouchers, while Prof. Wiseman offered his views against the school vouchers program. Professor Kinkopf offered a moderate view of voucher programs and Chris Carr offered commentary on the possibility of a voucher program in the state of Georgia.

Mr. Bolick led off the debate, outlining his experiences in school voucher litigation with the Institute for Justice. His first experience with school vouchers came 13 years ago in Milwaukee, Wisconsin, when, with the help of Polly Williams, a former welfare recipient, a voucher program was approved for 1,000 low-income students to receive their "share" of funds that they were allowed to use as full tuition at non-sectarian schools in the Milwaukee area. This plan was met by an immediate lawsuit from the local teachers union, and by regulatory opposition from the State school superintendent, Bert Grover.

Mr. Bolick then discussed the Cleveland School Choice Program that was the impetus for the recent Supreme Court decision. In Bolick's opinion, the one of the reasons the Cleveland program was opposed so aggressively is because parents were given the choice of spending their stipend at the religious schools in the Cleveland area. While op-

ponents of these programs argue that allowing parents to use their stipend at a religious school violates the establishment clause of the Constitution and the doctrine of separation of church and state, the Supreme Court looked at whether the money received by the religious school was given directly by the government as a subsidiary, and whether there were a range of educational alternatives or only sectarian choices. In spite of the fact that 97% of the private schools that parents in Cleveland had to choose from had religious affiliations, the Supreme Court decided that parental choice was the determining factor, not that the majority of the choices were religious schools. Because the stipend was being given to the parents who then made their choice on which school to attend, the Supreme Court held the plan was constitutional.

In Mr. Bolick's opinion, the education establishment is so adverse to school choice programs for two reasons. One is that for the first time, low-income families are given some choices and some power as to where their kids can go to school, something that until voucher programs had been reserved for more affluent families. Second, Bolick feels that now the schools have to compete for low-income students and the dollars they command. However, according to Bolick, what is ultimately important is "not where they [the students] are being educated, but whether they are being educated."

Next, Professor Kinkopf presented his moderate view of the school voucher debate. According to Prof. Kinkopf, he approaches this topic from a "confused" standpoint because he approaches the Cleveland case from a per-

sonal perspective, having grown up in Cleveland, attended Catholic schools in Cleveland from first grade through High School and even gone to law school in Cleveland. While Kinkopf admitted a principled objection to what he called "government subsidizing religious schools," he realizes from his personal experiences that the public school system in Cleveland is an "unmitigated disaster." Although he feels it would be deeply hypocritical to want to keep public school kids from having the same bonus he had in attending a Catholic school, Professor Kinkopf only understands this program as a subsidy to the Catholic school system. Kinkopf noted that it has long been the ambition of the Catholic Church to win public funding for their schools in Cleveland because they could benefit greatly from receiving public funds for something they were already doing.

One of Professor Kinkopf's biggest concerns regarding the Cleveland voucher program is the Free Exercise Clause problems it presents. Kinkopf argued that vouchers do and should come with strings attached. The Catholic schools will be required to provide a safe school environment and to actually educate the children that attend a school on a voucher. These strings will be spelled out in ways that will interfere with the Catholic Church's ability to make autonomous decisions. Prof. Kinkopf fears that receipt of these public funds will put the church in the awkward position of having to either "follow the money or follow the Pope."

Professor Wiseman then presented an argument in opposition to the Cleveland voucher program. While acknowledging the poor state of the public

school system in Cleveland, Prof. Wiseman argued that the way to solve this problem is not to create a constitutionally suspect program. Prof. Wiseman feels that this program does not offer real choice. This program provides more choice to the private schools than to the parents, because while parents may choose a certain school for their child, Wiseman fears they may not be admitted in some cases. Additionally, some private school tuition costs far more than the amount of the voucher students can get. Unless the program establishes the amount of the voucher is all that has to be paid, most families will not be able to make up the difference in tuition to ensure enrollment. Prof. Wiseman also fears that with a quality education comes religious indoctrination, especially with 97% of the school choices being sectarian.

Finally, Chris Carr spoke about the obstacles that exist in Georgia to the creation of a similar voucher program. While conceding this discussion was premature since it has not been determined whether a voucher program is either needed or wanted in Georgia, Mr. Carr discussed two obstacles under Georgia law to this type of voucher program. The first is the so called Blaine Amendment which has been adopted by 37 states and provides a more robust interpretation of the separation of church and state doctrine, blocking any indirect endorsement of religious institutions by the state. The second hurdle is the fact that school funding is purely a local taxation issue in Georgia, which presents various problems that did not exist in the Cleveland case.

2003 - 2004 SBA BOARD

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PILA AUCTION SUCCESS - OVER \$18,000 RAISED



Dean Kaminshine is joined by Auction Chair, Christa Kirk, in karaoke madness



Auction volunteers register participants

Student Bar Association

SBA HOSTS A TRIBUTE TO FACULTY AND STAFF

On Thursday, February 20, the Student Bar Association hosted a reception honoring the esteemed faculty and staff of the Georgia State College of Law. Just after four o'clock, the West Exhibit Hall filled with friendly faces celebrating our tradition of quality people providing a world-class legal education. While it is no secret that Georgia State has been recognized among the country's best law schools for our exceptional professors and personnel, it is the little extra efforts that truly make them a fantastic team.

The commitment of our faculty and staff is evident in their genuine enthusiasm for what they do. On any given evening, one can observe this dedication as the Career Services office spends late-night hours preparing for another on-campus job fair, or the admissions office organizes another after-hours campus tour or promotional event.

Almost every student has the opportunity to see the devotion of our

Registrar through desperate last-minute schedule changes and make-up exam requests. Just take a moment to ask our library staff for assistance, and

you will witness unparalleled patience and professionalism. Of course, you'll always receive service with a

smile, whether you are reserving a room for a student event, applying for externships, or arranging an appointment with the Dean. Even the unseen special care of our Sixth floor administration becomes obvious through the

meticulous planning behind such events as our annual Alumni Basketball Game or our 20th Anniversary scholarship initiatives.



Additionally, one cannot miss the obvious dedication of our faculty. Whether you approach them in the halls with a

question, stop by their offices for exam tips, or meet them for lunch, there is always an atmosphere of approachability. It is not unusual to catch professors at student meetings and events, or even sharing a pitcher of beer at Manuel's to

recognize a Moot Court victory or conclusion of a successful class. Yet, the commitment does not stop there. Professors have even been known to welcome students into their homes for social occasions, such as the annual RWA party and International Commercial Arbitration picnic, and invest their personal time and money in student-organized community events like the American Cancer Society Walk or the annual P.I.L.A. Auction. Where else could you find faculty willing to judge student talent weekend competitions and sing karaoke to raise money for student scholarships?

Without a doubt, the faculty and staff here at Georgia State help make this one of the finest legal education experiences in the country. Beyond the academics and the accolades, we are surrounded by people who truly care. Please take a moment to appreciate a professor or staff member who has made a positive impact on your time at GSU College of Law.

ABA MEETING IN NEW ORLEANS

By Matt Hines

On February 21 through the 23, the American Bar Association Law Student Division held the Spring Regional Meeting for the 5th and 13th Circuits in New Orleans. (Yes, the ABA still includes Georgia in the 5th Circuit). American Bar Association Representative Matt Hines and Lamar Smith represented Georgia State Law School at the event.

The purpose of the event was to generate ideas for upcoming ABA sponsored events and elect a new ABA governor for the 5th and 13th Circuits. The weekend started with a casual in-

troduction on Friday night. After this the attendees were allowed to enjoy the Mardi Gras festivities just 6 blocks away. On Saturday, we went to Tulane College of Law to listen to those who were running for governor. Also in attendance was Major Jamer Durant, ABA Chair of the Armed Services Committee. He spoke with the group regarding, "What a Jag Officer does during War Time." Other topics discussed included ways to implement an effective Pro Bono Day. This gives students an opportunity to gain legal experience while also satisfying any Pro Bono requirements the state mandates. The ABA Spring Work-A-Day was also addressed, which gives students the

opportunity to provide assistance to those in the community. For those of you looking to gain some quick resume material, the ABA will be sponsoring the VITA program this semester. This program provides opportunities for students to assist those less fortunate with their taxes.

On Saturday night, the Awards Dinner was held and I am proud to announce Georgia State took home two awards. Our school was awarded the "Certificate of Appreciation" and the "Excellence and Leadership in the 5th Circuit" award. I want to take this opportunity to thank Erin Baird, our SBA President, since these awards are predominantly due to her efforts in spon-

soring the ABA Fall Regional Roundtable here at Georgia State School of Law. Of course, Saturday would be incomplete without a night out in New Orleans. Not only was GSU represented at the ABA event but we were also "representin'" on Bourbon Street. Mr. Hines and Mr. Smith even had occasion to lose a few of their beads (I don't know where they could have gone?).

Overall, the weekend was a success. Based on the awards received, GSU continues to be recognized as a school of excellence. You should receive information concerning all the upcoming ABA sponsored events via email.

BARRISTER'S BALL 2003

When:
April 5, 2003

Location:
The Abbey
(located on Ponce de Leon
and Piedmont)

Schedule:
7-8 Free Open Bar Hour
8-9 Buffet Dinner
9-1 Dancing and Awards

Cost:
\$35.00 per person
(includes dinner, 2 drink
tickets and dancing)



Attendees take a break from dancing at Barrister's Ball 2002

Menu:

Gourmet Cheese Display w/ Walnut Raisin Ficelle & Assorted Crackers
Seasonal Fruit & Wild Berry Display w/ Orange Honey Yogurt Dip
Whole Poached Salmon Display w/ Capers, Egg, Red Onion, Toast Point
Spring Green Salad w/ Tomatoes, Cucumbers, red Onions & Croutons
Prime Rib of Beef w/ Dinner Rolls
Grilled Turkey Cutlets w/ Broccoli & Fontina Cheese
Georgia Mountain Rainbow Trout w/ Stir Fry Vegetables
Eggplant Parmegianna
Miniature Duchesse Potatoes w/ Caramelized Shallot
Grilled Vegetables
Chef's Choice of Four Desserts
Coffee and iced Tea

Organizations

STUDENT TRIAL LAWYERS ASSOCIATION

By Anna Willyard

Student Trial Lawyers Association participated in the Southeastern American Bar Association Competition the weekend of February 7, 2003. STLA gives students an opportunity to put on an entire trial, complete with witnesses, in a competition format. Some students, mostly 3Ls, act as lawyers while 2Ls participate as witnesses.

The southeastern competition involves all of the Georgia schools as well as all of the Florida schools. The first team's lawyers were Tim Baggett, Keisha Benjamin and Alison Spiers along with their witnesses Beth Howard, Leslie Spornberger-Jones, Martin Marshall and Matt Hines. The second team's lawyers were Jim Wall, Lori Pearson and Jaime Russek along with their witnesses Mark Issa, Nick Salter,

Susan Kreuzkamp and Anna Willyard. This year's competition was a criminal trial based on the sad and much publicized case of Danielle Van Dam.

We started out on Friday night with our first round, one team went prosecution and the other team went defense. Saturday morning we changed sides and then Saturday afternoon had a wild card round. Each round brought new rulings on different pieces of controversial evidence as well as new objections that the lawyers met

with splendid ease and knowledge. After the required rounds were over on Saturday afternoon we had a social gathering with all of the schools. There were sixteen teams participating, but only eight could go forward to the finals on Sunday. Both of the Georgia State Law teams advanced to the semi-finals. Team one had a perfect record from the required rounds. Team two went into the semis 2-1. Team two advanced after beating Stetson on Sunday morning. Everyone on that team would agree that was a very sweet victory.



Student Trial Lawyers Association

That afternoon team two was up against the University of Georgia in the final round. Luckily there were some rulings in our favor and Jim and Jaime did a great job on the defense side. Team two surprised UGA with their trial skills and litigation strategy which resulted in a successful round. The success of both Georgia State Law teams would not have been possible without the dedication of our coach Tom Jones. Everyone who participated in the STLA competition did a wonderful job and the lawyers should be commended for the amount of time and effort they put into this case. They definitely represented Georgia State well and team two will continue to do so when attending the national championship in Houston this March.

EMPLOYMENT AND LABOR LAW ASSOCIATION

By Constance Woods

The College of Law's Employment and Labor Law Association ["ELLA"] is one of the newest student organizations at the school. Organized during the 2001-2002 academic year, the group was established with the goal of advancing the awareness of this increasingly popular practice area and the statutes that make up its focus such as: Title VII of the Civil Rights Act of 1964, The Civil Rights Act of 1991, The Age Discrimination in Employment Act, The Americans with Disabilities Act, and The Family Medical Leave Act.

Last year ELLA won the honor of "Best Student Organization" at school and this year we have continued the goal of education and awareness about Employment Law and careers in this area. This year's officers for the group are: Constance Woods — President; Lori

DuBois — Vice President; Ashley Cooper — Treasurer; and Daphne Bassett — Secretary.

Programs have focused on introducing the topic of Employment and Labor Law from various perspectives. This fall we were honored to have guest speaker Leanne Mehrman from Ford & Harrison LLP, one of the country's pre-eminent "boutique" firms specializing in Labor and Employment law. Ms. Mehrman spoke to the group about general principles of the Employment Law field, particularly from the perspective of management defense work. Ms. Mehrman explained one of the reasons she chose this particular practice area is it offers the chance to litigate mostly Federal Court since this is where most Employment claims are filed.

Furthermore, this winter we recently hosted attorney Adam Conti who represents plaintiffs in employment mat-

ters primarily in the public sector. Mr. Conti founded his own firm 6 years ago and built his practice on representing federal government employees in their employment disputes. Mr. Conti provided the group with a fantastic understanding of the distinctions in the employment laws governing public employees from those governing private sector employees. In particular, he noted that federal employees have a right to a hearing before the Equal Employment Opportunity Commission ["EEOC"] while private sector employees do not. Because of this he attends 2-3 EEOC hearings a month. Mr. Conti added that he finds representing plaintiffs extremely fulfilling particularly when he is able to get them restored to the job without any demotion or retaliation.

Programs for the remainder of the semester are currently being organized and plans to host speakers from

some of the federal agencies such as the EEOC and the Department of Labor are being laid. In addition, many of Atlanta's corporate powerhouses such as Coca-Cola, BellSouth and UPS have large in-house counsel departments with Labor and Employment groups. We hope before the semester is out to host a speaker from one of these companies that may showcase the in-house Employment Law practice at a national or multi-national firm.

Elections for the next academic year will be held in March and we encourage anyone who is interested in participating in ELLA to be on the lookout for the announcements and come to our next meeting to learn more about us!

If you have any questions, please feel free to send them to Constance Woods at woods122@msn.com.

ASSOCIATION OF WOMEN LAW STUDENTS

By Marcy Wellings

The Association of Women Law Students ("AWLS") has been involved with various organizations and implemented many new ideas in the past semester. One organization that we show our support for is the National Breast Cancer Foundation. This October several AWLS members participated in their annual "Making Strides Against Breast Cancer" walk to raise funds for the fight against breast cancer. Since many members have been touched by this disease through family members or friends, the organization has made it a priority to do all that we could to eradicate this disease.

Additionally, AWLS supports eliminating problems our community faces as well. In October we participated in a candlelight vigil to bring awareness to the rising problem women face with domestic abuse. The vigil was held in Decatur, where the Lieutenant

Governor spoke and the Spellman Chorus sang in support of demolishing this rising problem.

This year several new traditions have begun for AWLS. In an effort to get our organization together to function as more than just a legal organization, we have planned several wine tastings. We see this as a way to bring the members together, to relax, and to socialize for a couple of hours. For

the newer members, this is a wonderful opportunity to meet people, including other second and third year students. Eventually, we plan to expand this event to include alumni of AWLS at Georgia State as well. Also this year we initiated a mentor program with female

alumni of Georgia State College of Law. We plan to have this program running

smoothly for any interested members to interact directly with practicing attorneys in the Atlanta area by next year.

Furthermore, AWLS supports the Georgia Association of Women Lawyers. We facilitated participation with this organization by informing members of upcoming events and organizing discounts for our members to join this prestigious group. On October 3, 2002, the Georgia Association of Women Lawyers invited our members to attend their Judges Luncheon. This function allowed students the opportunity to meet and so-

cialize with different Judges in the Atlanta area.

Finally, on October 2, 2002, AWLS hosted Janine Anthony Brown to speak to Georgia State Law Students. She discussed several issues concerning success in her legal career. She emphasized how important it was to not only to be a leader, but also use those leadership skills to teach others. She stressed one method she found to succeed was becoming the "go to man" for a certain topic, acquiring expertise in a particular field. Alternatively, she suggested volunteering to become the expert in a new field your firm begins to practice. By being an expert in technology for her firm she was noticed, and remembered for later projects in her firm.

We have many plans for the upcoming months, such as providing an outline bank for our members to aid in studying for exams, as well as posting biographies of recent graduates to give inspiration for our current students.



Careers

MOCK INTERVIEW PROGRAM

CSO Mock Interviews From The Interviewee's Perspective

By Sally Santander

If you're like me, the interview process makes you more than a little uncomfortable. And why shouldn't it? Usually, a one-page resume and a brief interview are all you get to convince an employer to hire you. The word "daunting" comes to mind.

Sure, most of us have been through interview processes; but for many, that was years ago, in a different profession. Fortunately, the Career Services Office offers programs to prepare us for interviews and build our confidence.

The CSO Mock Interview Program provides an excellent opportunity for law students to practice their interviewing skills. It goes a little something like this: you sign up for an interview at the Career Services Office. You come to the interview in professional attire, with a copy of your resume in-hand. The interview is conducted by either a Career Services Office staffer or a professional from the community. Following the interview, the interviewer reviews your performance and offers comments. Afterwards, you write a thank you letter, just as you would for a "real" interviewer.

The benefit: a chance to practice your interviewing skills without

worrying about getting the internship/job, and an opportunity to get feedback from an objective person. For those of you who haven't had an interview yet, the Mock Interview Program is a great way to find out what the interview process is like, and alleviate some of that pre-interview anxiety. And for those of you who are a bit more experienced: practice makes (nearly) perfect!

CSO Mock Interviews From The Interviewer's Perspective

By Ben Walden

First, it is very important to know that being a part of the Mock Interview team is not only about helping the student that comes in for the interview. When I was asked to help out, I was not really sure that the process was going to help me. Why should it? I have been on plenty of interviews and had many jobs. Figuring that I had not done much volunteer work lately, and that I would be able to add an activity to my resume, I decided to help out with the interviews.

To my surprise, I was wrong about taking part in the mock interviews as an interviewer not helping me for my own interviews. It feels very different to be on the other side of the table in the interview. Instead of focusing on the little bitty details on the resume in front of me and wanting hammering the person for not putting her grades on her resume, I

realized that I was listening to how she answered questions about her weaknesses instead of what her weaknesses were. Everyone has a weakness (even number 1 in your class) and employers know this. Employers are more interested in how an interviewee handles tough questions than the actual weakness.

Deciding on what questions that I wanted to ask during the interview also made me think about the questions that I had, and would probably always be asked when interviewing. I always liked asking interviewees what their biggest weakness was. No one wants to talk about this area of their life, but if you think about it and can turn your weakness into a strength, this horrible question becomes a selling point.

I also learned the value of asking questions. Too often students go into interviews, and when given the chance, do not ask questions. This could ruin a wonderful interview. By not asking questions, the interviewer feels as if the interviewee does not care. Asking questions shows enthusiasm. Make sure to have questions to ask before going to an interview.

The Career Services Office has material on how to improve your interviewing skills and you can set up a mock interview. As for the people given the opportunity to become part of the Mock Interview Team, take it. You will get a new perspective on interviewing that will improve your skills as well.

GUERRILLA TACTICS TO GET A JOB

By Ben Walden

How do you find the legal job of your dreams? Kimm Walton, the Job Goddess, author of such books as *Guerilla Tactics For Getting The Legal Job Of Your Dreams*, *What Law School Doesn't Teach You...But You Really Need to Know* (and many other highly recommended books) helped answer this question when she spoke on campus last month. For those that missed it, this will be a recap of her lecture, but it is highly recommended that you look at *Guerilla Tactics For Getting The Legal Job Of Your Dreams* in Career Services or buy a copy of it yourself because it is extremely helpful.

Kimm explained that anyone can get the legal job of her dreams even if she is not in the top 10% of her law school class. What is important is showing the potential employer that you can do the job. To do this, you need to create an image of the job you want and how to communicate this image, and there are many ways to do this through means other than grades. To do this, you need to show what you bring to the employer. This means that in your interview, resume, and cover letter, you should focus on the employer and that you can help her. The most important part of this focus is showing enthusiasm.

The biggest obstacle in the way of enthusiasm is rejection. The inability to deal with rejection tanks more job searches than anything else. To help overcome rejection, Kimm gave two

suggestions. First, when you get rejected, DO NOT ASSUME SOMETHING IS WRONG WITH YOU. You never know how close you were to getting hired. All it means is that at that particular time, you did not show the employer what she needed to hire you. Second, it is too easy to cloak employers with magical powers that they do not have. They are not all knowing and perfect. Employers make mistakes; so do not associate not getting the job with you not deserving the job. Do not let rejection define your career.

Kimm went on to say that there are two main things that employers are looking for. First, you need to let them know that you can do the job. There are many ways to do this other than grades. You can do this by showcasing your writing abilities. You can do a judicial externship, writing competitions (which in most cases have less than 4 entries), bar association publications, etc. Second, do not forget the importance of enthusiasm. People hire people that want to work for them.

Resumes:

Kimm also gave some tips on resumes. Remember the role of your resume: it is a marketing piece to sell your abilities to the prospective employer. Each employer is looking for something different so do some research on the employer, find out what they are looking for, and tailor your resume to the employer's needs. To make this easier, you should have a master resume that you whittle down depending on the employer. Make sure that you put all relevant topics on

your resume, including CLE's.

The two most common complaints about resumes are 1) lies or exaggerations and 2) one out of three resumes have typos. Also, make sure that you are comfortable talking about everything on your resume before you send out. If there is an interest or hobby that is controversial, you may not want to include it.

Interviews:

Once in the interview, remember what is going on. Show your enthusiasm and make the interview a conversation so that the employer gets a chance to know you and that you get a chance to show the employer why she should hire you.

Kimm makes four suggestions to prepare for interviews.

1. Research the employer. Check out the employer's website to find out its specialties, where the firm is located, any recent press releases.
2. Prepare answers and practice. Be able to tell the employer about yourself. This is a straightforward way for you to explain why the employer should hire you.
3. Ask questions. Use your research to come up with questions. Use open-ended questions that get the conversation started. This is your chance to see if this is the kind of place you want to work.
4. Everyone has an Achilles heel. Whatever your weakness is, it will not kill you, the way you deal with it can. Come up with a strategy on how to handle it and speak about it with confidence.

THE DOCKET

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Student Voice

PROFESSOR QUESTIONNAIRE

By Brian McCarthy

For those of you who may have read a media guide for a sports team recently you may recognize the Professor Questionnaire as similar to the ones given to athletes on any of your major sports franchises in town. I thought it would be interesting to find out some of the factoids which may or may not have

affected our professors, but these facts would not be included in any normal biography or resume. Since they teach both First Year and upper level courses, I chose Prof. Wiseman and Prof. Scott. I will be more than happy to take suggestions for both questions and Professors for the next edition of the Professor questionnaire.

Upon reading the answers given

by Prof. Wiseman and Prof. Scott, I have come up with some observations for all of us to look out for when evaluating our professors at the end of the summer or determining who to take for our courses next year.

First of all, for all of you 1Ls who might still be afraid to run into a professor out in public, it probably is not a good idea to go get a casual drink at

Manuel's. Second, pretty amazing to think that each professor had a future Supreme Court Justice as a professor in law school. Makes me wonder which one of my professors will end up on the bench. And third, although I have never tried it myself, it must be really, REALLY hard to get into Yale Law School.

PROFESSOR PATRICK WISEMAN

Birthplace: Surbiton, England
Hometown: Truro, Cornwall, England (if you mean where I grew up)
Law school: Columbia
Favorite neighborhood: Inman Park
Favorite restaurant: Caramba Cafe (best Margaritas in town!)
Favorite watering hole: Manuel's
Favorite watering hole besides Manuel's: There are others? The Pandora, a pub on a river in Cornwall
Favorite band or musical group: Dire Straits
Name of 3 CD's that are currently in your stereo: (It only holds one at a time!) Come Away With Me (Norah Jones); Silver Lining (Bonnie Raitt); The Ragpicker's Dream (Mark Knopfler)
Favorite movie: One Flew Over the Cuckoo's Nest
Favorite book: An impossible question to answer! But, if I must, Sebastian Faulks' *Birdsong*
Favorite author: David Lodge
Favorite all-time T.V. show: The West Wing
Favorite legal T.V. show: Does Hill Street Blues count (cop show, not "legal" exactly)? Otherwise, L.A. Law when at its best.
Favorite Supreme Court Justice all-time: Justice Brennan
Favorite current Supreme Court Justice: Justice Stevens



Least favorite Supreme Court Justice all-time: Justice Holmes
Least favorite current Supreme Court Justice: Justice Scalia
Favorite sport: Baseball, closely followed by football (of the soccer variety!)
Favorite vacation spot: Cornwall
When you first realized that you wanted to become a professor: During a Farnsworth Contracts class, when I vowed not to be like him!
If you were not a Prof. you would be a: novelist
Favorite class when in law school: Constitutional Law II, with then-Prof., now Justice, Ginsburg
Habit in law school that looking back probably was not such a good idea: Not that it was habitual exactly, but the discovery during spring of my first year that I could do legal research while slightly hung over was a dangerous one!
A Prof.'s annoying habit that you hated as a student that you now find yourself doing on occasion: losing patience with students failing to grasp the "obvious"
Favorite Prof. when in law school and why: Prof. Stephen Lefkowitz, who taught Property to a class of 150 and made every single one of us feel as if he was talking to us; and he never lost patience with students who didn't grasp the "obvious."
Three people dead or alive that you would like to have dinner with: David Lodge, Richard Feynman, my mother (who died 10 years ago this summer)
Favorite marvel comic super hero: Superman (yeah, boring, I know!)
What did you want to be when you were growing up: a musician
Did you win any superlatives from your graduating high school class or law school class: Not that I remember
Name of law schools that you were not admitted to: Yale; and I was wait-listed at Colorado, where I was in grad school!

PROFESSOR CHARITY SCOTT

Birthplace: Boston, MA
Hometown: Westfield, NY
Law school: Harvard
Favorite neighborhood: Druid Hills
Favorite restaurant: Wisteria
Favorite watering hole: Manuel's
Favorite watering hole besides Manuel's: Starbucks
Favorite band or musical group: Beatles
Name of 3 CD's that are currently in your stereo: Tommy (The Who); Appalachian Waltz (Yo-Yo Ma); Andrew Lloyd Webber and the Royal Philharmonic Orchestra
Favorite movie: Gandhi
Favorite book: Anna Karenina
Favorite author: P.G. Wodehouse
Favorite all-time T.V. show: The Prisoner
Favorite legal T.V. show: The Sopranos (It's law-related, sort of)
Favorite Supreme Court Justice all-time: Oliver Wendell Holmes
Favorite current Supreme Court Justice: Stephen Breyer
Least favorite Supreme Court Justice all-time: Let's not speak ill of the dead
Least favorite current Supreme Court Justice: Or of the living
Favorite sport: Tennis



Favorite vacation spot: Southern France
When you first realized that you wanted to become a professor: After I taught my first class (I was an adjunct at Emory's business school, filling in for a semester)
If you were not a Prof. you would be a: "Real" lawyer
Favorite class when in law school: Constitutional Law
Habit in law school that looking back probably was not such a good idea: Smoking cigarettes
A Prof.'s annoying habit that you hated as a student that you now find yourself doing on occasion: Keeping students a few minutes over the end of the class hour
Favorite Prof. when in law school and why: Stephen Breyer; he taught administrative law, and had a lovely way of engaging students with each other on all sides of an issue
Three people dead or alive that you would like to have dinner with: My mother, my father, and my grandfather (all deceased)
Favorite marvel comic super hero: My tastes inclined more to "Peanuts" and "Rocky and Bullwinkle"
What did you want to be when you were growing up: Healthy, wealthy, and wise
Did you win any superlatives from your graduating high school class or law school class: Aside from a few academic honors, I seemed to have navigated both experiences with mercifully little general notice or acclaim
Name of law schools that you were not admitted to: Yale

The Georgia State University Law Review is pleased to announce the Editorial Board Members for the 2003-2004 academic year. Please join us in congratulating these students.

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